

Message Text

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ACTION EB-07

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SUBJ: CIVIAIR - RENEWAL OF PAN AMERICAN OPERATING PERMIT

REF: STATE 103783

1. CHARGE AND ECON COUNS CALLED ON FSFA ASSISTANT SECRETARY BERNARDIC, REVIEWED CHRONOLOGY OF NEGOTIATIONS SINCE APR 19TH AS OUTLINED REFTTEL, AND MADE POINTS COVERED IN PARA 4A, B AND C. BERNARDIC, CITING A DISCUSSION IN WASHINGTON YESTERDAY BETWEEN ANDREWS AND GOY OFFICIAL, SAID HE WISHED TO MAKE THREE POINTS IN RESPONSE. FIRST, GOY ANXIOUS TO CONCLUDE INTERIM CIVIAR AGREEMENT AND INTENDED WORK TOWARDS THAT END. IN THE COURSE OF SUCH NEGOTIATIONS THERE ARE MATTERS OF TACTICS INVOLVED, AND OF COURSE, FINAL AGREEMENT WAS SUBJECT TO REVIEW BY HOME GOVT AUTHORITIES, BUT HE DIDN'T THINK IT USEFUL TO DISCUSS DETAILS OF NEGOTIATIONS WHICH UNDERWAY IN WASHINGTON. SECOND, WITH RESPECT TO PANAM'S OPERATING PERMIT, THIS WOULD NOT BE "RENEWED" UNTIL INTERIM AGREEMENT REACHED, BECAUSE RENEWAL MEANT A NEW RPT NEW AGREEMENT. BUT, HE SAID, GOY AGREED TO ALLOW PANAM TO CONTINUE OPERATING INTO YUGOSLAVIA UNTIL MAY 10 ON BASIS OF DAY-BY-DAY PERMISSION. THIRD, GOY REQUESTED THAT JAT BE GIVEN SIMILAR PROVISIONAL AUTHORITY TO OPERATE SCHEDULED SERVICE INTO THE U.S. ON SAME PROVISIONAL DAY-BY-DAY BASIS

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AS THAT AFFORDED PANAM. (BERNARDIC MADE CLEAR THAT APPROVAL OF

THIS TEMPORARY AUTHORITY FOR JAT WAS NOT RPT NOT A CONDITION FOR ALLOWING PANAM'S TEMPORARY OPERATION UNTIL MAY 10.) CHARGE SAID HE WOULD IMMEDIATELY REPORT GOY POSITION TO WASHINGTON BUT REPEATED, HOWEVER, THAT USG POSITION WAS THAT WE WOULD NOT CONSIDER THE RECENT PROPOSALS MADE BY YUGOSLAV EMBASSY UNTIL WE HAD RECEIVED ASSURANCES THAT PANAM'S PERMIT WOULD BE EXTENDED UNTIL NEGOTIATIONS ARE CONCLUDED. BERNARDIC SAID THAT THIS NOT POSSIBLE; NEGOTIATIONS COULD BE EXTENDED INDEFINITELY UNDER THIS FORMULA.

2. BERNARDIC SAID DETAILS OF DAY-TO-DAY PERMIT SHOULD BE WORKED OUT BETWEEN CAA AND LOCAL PANAM OFFICE. WE HAVE ADVISED LOCAL PANAM REP (JOVANOVIC) OF THIS PART OF BERNARDIC'S REMARKS.

3. IN COURSE OF COVERAGE OF BERNARDIC'S FIRST POINT, FSFA NORTH AMERICAN DESK OFFICER, KELIC, ATTEMPTED TO INTERVENE IN DISCUSSION TO RESPOND TO CHARGE'S ACCOUNT OF CHRONOLOGY OF NEGOTIATIONS IN WASHINGTON. BERNARDIC HAD SHUT HIM OFF, SAYING SUCH DETAILS ARE NOT PERTINENT. IN ACCOMPANYING CHARGE TO DOOR, HOWEVER, KELIC SAID THAT U.S. SIDE, NOT YUGOSLAV SIDE HAD MADE THE FINAL PROPOSAL AND USG, NOT RPT NOT, GOY HAD RETROGRESSED FROM PREVIOUSLY AGREED POSITIONS. HE CITED AND REITERATED A "PARA 3" OF DRAFT THAT HE SAID HAD BEEN AN ORIGINAL U.S. PROPOSAL BUT WHICH, HE SAID, HAD BEEN DROPPED BY U.S. SIDE. KELIC ALSO CLAIMED THAT WHAT WAS BEING DISCUSSED APR 19 WAS U.S., NOT RPT NOT, YUGOSLAV DRAFT. WE TOLD HIM THAT THIS WAS INCOMPATIBLE WITH WHAT WE UNDERSTAND HAD HAPPENED IN THE COURSE OF NEGOTIATIONS. WE RAISING IT NOW TO INDICATE THAT SOMEWHERE ALONG THE LINE GOY EMBASSY WASHINGTON MAY NOT HAVE COMMUNICATED ACCURATELY TO BELGRADE AUTHORITIES STATE OF PLAY OF NEGOTIATIONS.

4. A FURTHER NOTE: CHARGE WENT IMMEDIATELY FROM BERNARDIC MEETING TO DUTCH NATIONAL DAY RECEPTION. THERE, FSFA NORTH AMERICAN DIRECTOR STARCEVIC SAID THAT GOY POSITION (I.E. ON PANAM SALES RIGHTS IN YUGOSLAVIA) WAS AS FAR AS THEY COULD GO. ANY FARTHER WOULD BE IN VIOLATION OF YUGOSLAV LAW AND SOCIETY. HE HECTORED THAT AS RESPONSIBLE U.S. OFFICIAL, CHARGE MUST UNDERSTAND AND REPORT THIS, AND URGE PANAM TO ACCEPT CONDITIONS. LIMITED OFFICIAL USE

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HE SAID PANAM HAD ALWAYS BEEN EXCELLENTLY TREATED (A POINT BERNARDIC MADE) BY YUGOSLAVS; NOW WAS TIME FOR USG TO GIVE JAT SOME RECIPROCAL TREATMENT. CHARGE RESPONDED GOY DEFINITION OF RECIPROCITY WAS SELECTIVE. SWEITZER

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